



State of Connecticut  
Department of Economic and  
Community Development

## Complaint Procedure-Discrimination

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### COMPLAINT PROCEDURE – DISCRIMINATION

#### *AVAILABLE IN LARGE PRINT OR ON AUDIO*

Utilizing the complaint procedure required by section 46a-68-46 of the Affirmative Action Regulations for the state agencies, this procedure will address complaints alleging discrimination based on race, color, religious creed, age, sex, marital status, national origin, ancestry, genetic information, mental retardation, mental disability, learning or physical disability including but not limited to blindness and sexual orientation in the provision of services, activities, programs or benefits of the Department of Economic and Community Development. This grievance is consistent with the requirements of the Americans with Disabilities Act and the CHRO's Affirmative Action Regulations. It will be distributed annually to all employees and will be posted throughout the agency.

#### COMPLAINT PROCEDURE

The Affirmative Action Officer or Designee (ADA-504 Coordinator) will receive all written complaints submitted by an employee, applicant, or participant or upon request from a supervisor who has received a discrimination complaint. The complaint must be in writing and should contain information about the alleged discriminatory act. Alternative means of filing complaints, such as personal interviews or a tape recording of the complaint, will be made available to qualified persons with disabilities, upon request. A complaint may be filed up to thirty (30) days after the date that complainant became aware of the alleged discriminatory act.

If, after the investigation of the complaint, and based on the information submitted, the Affirmative Action Officer or Designee (ADA-504 Coordinator) concludes that the complaint is not valid or no discriminatory act occurred, he/she may dismiss the complaint. The complainant will be so notified.

Any complainant adversely affected by the dismissal of a complaint retains all administrative and legal remedies as provided by the State Personnel Act and regulations of the Personnel Policy Board and, where appropriate, by the Americans with Disabilities Act, the Commission on Human Rights and Opportunities, the Equal Employment Opportunity Office and other similar agencies. The complainant will be notified in writing of these remedies.

If, however, the Affirmative Action Officer or Designee (ADA-504 Coordinator) finds reason to believe that unfair employment practices, sexual harassment and/or discrimination may have occurred, he/she will proceed to take the necessary steps to provide for an informal resolution at the agency level.

Upon completion of the investigation of a complaint, the Affirmative Action Officer or Designee (ADA-504 Coordinator) must submit to the Commissioner of the Department of Economic and Community Development for his/her review and approval a narrative description of the complaint, the findings and conclusion.

Complaint investigation and resolution by the Department's Affirmative Action Office must be completed within forty-five (45) days of the receipt of the complaint. The time for filing, processing and resolution at the agency level will not exceed ninety (90) days. The 90 days include the necessary time for the employee to appeal the decision of the Affirmative Action Officer or Designee to the Commissioner. If the complainant is not satisfied with the results of the investigation, he/she may appeal the decision within five (5) working days after the receipt of the response. Appeals must be made to the Commissioner of Economic and Community Development. The Commissioner or his/her designee will meet with the complainant to discuss the complaint and possible resolutions to it.

An employee who files a complaint with the Department's Affirmative Action Officer or Designee does not abrogate his/her right of filing a complaint with any of the enforcement agencies mentioned in this section. Neither will the Department suspend the investigation of a complaint filed with the Affirmative Action Officer or Designee upon its knowledge that the employee has filed a similar complaint with any of these agencies.

The Affirmative Action Officer or Designee (ADA-504 Coordinator) will take the necessary steps to insure the confidentiality of all discrimination complaints filed, records, procedures, and counseling done in the course of the investigation.

No employee, applicant, program participant or any person, who cooperate or testifies in the investigation of a complaint, will be harassed, discharged, refused upgrading, denied services or otherwise retaliated against for exercising his/her rights granted pursuant to this section.

Should the complainant disagree with the decision of the department, he/she may avail himself/herself of any or all of the following avenues:

Connecticut Commission on  
Human Rights and Opportunities  
1229 Albany Avenue  
Hartford, CT 06112  
Telephone: (860) 566-7710

Equal Employment Opportunity Commission  
Boston Area Office, 10<sup>th</sup> Floor  
One Congress Street  
Boston, MA 02114  
Telephone: 1-(617) 565-3200, Fax: 1-617-565-3196

U. S. Department of Housing & Urban Development  
Boston Regional Office, Region 1  
10 Causeway Street  
Boston, MA 02222-6842  
Telephone: (617) 565-6842

Complaints must be filed with CHRO no later than one hundred and (180) days after the alleged unfair employment practice or act of discrimination occurred. When complaints are made to CHRO, CHRO issues a notice of the complaint to the Department of Economic and Community Development.

Complaints must be filed with EEOC no later than three hundred (300) days after the alleged unlawful employment practice or act of discrimination has occurred, except that in the case when the aggrieved person initially filed a complaint with CHRO, such complaints shall be filed no later than one hundred and eighty (180) days after the alleged act occurred. Periodic training in counseling and grievance investigation will be provided to the Affirmative Action Officer or Designee. Records of grievances and dispositions will be maintained and reviewed on a regular basis to detect any relevant patterns. Records so retained will be confidential except where disclosure is required by law.

The Commission on Human Rights and Opportunities will be notified once a year via a summary in the *Affirmative Action Plan* of all internal and external complaints, the matters alleged, the length of time required to resolve the complaint, the results of such complaints, and of any remedial action taken. Where informal allegations have resulted in complaints to enforcement agencies, the plan will provide information on the number of such complaints, investigating agency and the current status of the complaint. The Department will maintain for examination by the commission all records relevant to employee grievances. The Affirmative Action Officer and the Designee continues to attend mandatory and related training sessions sponsored by the Permanent Commission on the Status of Women, Connecticut Association of Affirmative Action Professionals, the National and Regional Association of Affirmative Action Professionals and the State's Labor Relations office (see related documentation attached).

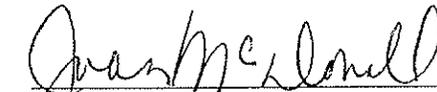
#### **PROTECTION OF RIGHT**

**Employees, applicants, program participants filing a complaint of discriminatory employment practice will be protected from unfair treatment, disciplinary action, or restriction of their rights as a result of such complaint. Any Administrative official or supervisor who willfully interferes with the investigation being conducted by the Affirmative Action Officer or Designee, or in any way restricts or impairs the rights of the complainants as a result of such complaints will be dealt with through the appropriate disciplinary action.**

The Complaint Procedure is included in the package given to all employees at the time he/she is hired. It is distributed annually with a summary of the plan to agency employees. A copy is also posted within the agency. The Affirmative Action Designees (ADA-504 Coordinator) for the Department of Economic and Community Development are Mitch Drabik (270-8022), Principal Human Resources Specialist, 505 Hudson Street, Hartford, CT, and Irena Baj Wright, Equal Employment Specialist, (713-5391) at the Department of Administrative Services, 165 Capitol Avenue, Hartford, CT 06106.

6/12/08

DATE

  
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JOAN MCDONALD  
COMMISSIONER



